

**ZONING BOARD OF APPEALS
MINUTES OF MEETING
AUGUST 14, 2014**

Town of Bedford
Bedford Town Hall
Lower Level Conference Room

PRESENT: Angelo Colasante, Chair; Todd Crowley, Vice Chair; Michelle Puntillo; Kay Hamilton; Arthur Smith

ABSENT: Carol Amick, Clerk; Jeffrey Dearing

Mr. Colasante introduced himself and read the emergency evacuation notice. The Zoning Board of Appeals (ZBA) members and assistant introduced themselves.

PRESENTATION: Ms. Puntillo, Acting Clerk, read the notice of the hearing.

PETITION #002-15 – Leslie Sims, at 28 Riverside Avenue, seeks a Special Permit per Sections 7.1.2 and 7.1.4 of the Zoning Bylaw to construct addition within side yard setback.

Leslie Sims, the owner of 28 Riverside Avenue, introduced herself and her husband, Mark. She referenced the plot plan in her application packet and stated that she proposed a five-foot extension off the back of the house, which would wrap around to the side in an “L” shape. She explained that the addition would follow the existing line of the house and would therefore not encroach any farther into the existing setback. She talked about the other exhibits in the application, noting that she had included elevation drawings and had shaded in the portions that would be part of the new addition.

Mr. Crowley said it appeared that a new deck was also proposed. Ms. Sims said that was correct, but as it was not infringing on any setbacks, it was not part of this application.

Ms. Puntillo asked what was on the other side of the applicant’s property line. Ms. Sims replied that it was a narrow (20 feet wide), unbuildable lot.

Mr. Crowley asked about the foundation and whether it was slab on grade. Ms. Sims stated that it was not; there was a basement underneath the house.

Mr. Colasante opened the hearing to the public. With no comments or questions from those in attendance, Mr. Colasante closed the public hearing.

DELIBERATIONS:

Mr. Colasante said that this project clearly called for a Special Permit, since the lot and structure were both nonconforming in size and setbacks. He said that the two conditions

of a Special Permit were that the project was not injurious or detrimental to the neighborhood and was in keeping with the intent and purpose of the Bylaw. He commented that this was an area filled with smaller lots, and he felt that this addition would not alter the look or feel of the neighborhood. He said he supported this application.

Mr. Crowley said that he had no problems with this application, particularly because the addition would not be encroaching any farther into the existing setback. The other Board members agreed.

The Board talked about what conditions, if any, should be placed on the Special Permit; it was decided that no conditions were necessary.

MOTION:

Ms. Puntillo moved to grant Leslie Sims, at 28 Riverside Avenue, a Special Permit per Sections 7.1.2 and 7.1.4 of the Zoning Bylaw to construct addition within side yard setback, substantially as shown on plans marked Exhibits A, sheets 1 through 3 inclusive (plot plan, floor plan, and elevations).

Mr. Crowley seconded the motion.

Voting in favor: Colasante, Crowley, Puntillo, Hamilton, and Smith

Voting against: None

Abstained: None

The motion carried unanimously, 5-0-0.

Mr. Colasante explained that the Board had 14 days to write a decision, after which time there was a 20-day appeal period. The applicant was then responsible for getting the decision recorded at the Registry of Deeds. Once the decision was recorded, barring any appeals, the applicant may apply for a Building Permit at the Code Enforcement Department.

Ms. Sims thanked the Board members for their time. Mr. Colasante wished her luck with the project.

PRESENTATION: Ms. Puntillo read the notice of the hearing.

PETITION #003-15 – Pamela Brown, Esq., for Tremview Investments, LLC, at 201 Burlington Road, seeks a Special Permit per Section 39.5 Section 1(C) of the Sign By-Law to internally illuminate freestanding sign.

Mr. Colasante noted that Ms. Brown had submitted a letter requesting a continuation to the September 11 meeting date. He called for a motion to continue the hearing.

MOTION:

Mr. Smith moved to continue Pamela Brown, Esq., for Tremview Investments, LLC, at 201 Burlington Road, seeking a Special Permit per Section 39.5 Section 1(C) of the Sign By-Law to internally illuminate freestanding sign to September 11, 2014 at 7:30 PM.

Ms. Hamilton seconded the motion.

Voting in favor: Colasante, Crowley, Puntillo, Hamilton, and Smith

Voting against: None

Abstained: None

The motion carried unanimously, 5-0-0.

BUSINESS MEETING:

Meeting Minutes

MOTION:

Mr. Smith moved to accept the minutes of July 24.

Ms. Hamilton seconded the motion.

Voting in favor: Colasante, Crowley, Puntillo, and Smith

Voting against: None

Abstained: Hamilton

The motion carried, 4-0-1.

Adjournment

MOTION:

Mr. Smith moved to adjourn the meeting.

Ms. Hamilton seconded the motion.

Voting in favor: Colasante, Crowley, Puntillo, Hamilton, and Smith

Voting against: None

Abstained: None

The motion carried unanimously, 5-0-0.

The meeting adjourned at 8:15 PM.

Angelo Colasante, Chair

Date

Respectfully Submitted,

Scott Gould
ZBA Assistant